

**CLAIMS**

Amend the claims as follows.

1. (Currently amended) A server for transmitting data over a network to a client having a de-jitter buffer, the server comprising:
  - a regular path for transmitting data received from a source at a regular rate;
  - a first buffer in the regular path for buffering data from the source;
  - a burst path for transmitting data received from the source at a burst rate higher than the regular rate before playout at the client;
  - a second buffer in the burst path for buffering data from the source, and for transmitting the buffered data to the client at the burst rate before playout at the client; and
  - a switch for selecting to transmit data from one of the regular path and the burst path.
2. (Original) The server of claim 1, further comprising:
  - a control unit for switching the switch.
3. (Original) The server of claim 2, further comprising:
  - a monitor that measures an amount of the data is output through the burst path, and wherein the control unit switches the switch when a preset measure of the data is output through the burst path.
4. (Previously Presented) The server of claim 1, further comprising:
  - a network bandwidth monitor; and
  - a controller that controls a fill level of the second buffer according to the monitored bandwidth.
5. (Original) The server of claim 1, further comprising:
  - a transcoder for transcoding the buffered streaming media output through the burst path.
6. (Original) The server of claim 1, further comprising:
  - a network bandwidth monitor; and
  - a transcoder for transcoding the buffered streaming media output through the burst path if the monitored bandwidth becomes less than a preset bandwidth.

7. (Canceled)
8. (Canceled)
9. (Previously Presented) A server for retransmitting streaming media comprising:  
means for receiving a first portion of the streaming media from a source along a first path;  
means for buffering the first portion and outputting the buffered first portion to a client on the network through the first path at a first rate before playout at the client;  
means for receiving a second portion of the streaming media from the source along a second path distinct from the first path at least in part; and  
means for transmitting the second portion to the client on the network through the second path at a second rate lower than the first rate.
10. (Original) The server of claim 9, further comprising:  
means for switching to outputting from the second path, from outputting from the first path.
11. (Original) The server of claim 9, further comprising:  
means for storing the first portion.
12. (Original) The server of claim 9, further comprising:  
means for monitoring a bandwidth of the network; and  
means for controlling a size of the first portion according to the monitored bandwidth.
13. (Original) The server of claim 9, further comprising:  
means for transcoding the first portion.
14. (Original) The server of claim 9, further comprising:  
means for monitoring a bandwidth of the network; and  
means for transcoding the first portion if the monitored bandwidth becomes less than a preset bandwidth.

15. (Previously Presented) A method for a server to retransmit streaming media comprising:

receiving a first portion of the streaming media from a source along a first path of the server;

buffering the first portion and outputting the buffered first portion to a client on the network through the first path at a first rate before playout at the client;

receiving a second portion of the streaming media from the source along a second path of the server distinct from the first path at least in part; and

transmitting the second portion to the client on the network through the second path at a second rate lower than the first rate.

16. (Original) The method of claim 15, further comprising:

switching the server to outputting from the second path, from outputting from the first path.

17. (Original) The method of claim 15, further comprising:

storing the first portion in an initial burst transmit buffer.

18. (Original) The method of claim 15, further comprising:

monitoring a bandwidth of the network; and

controlling a size of the first portion according to the monitored bandwidth.

19. (Original) The method of claim 15, further comprising:

transcoding the first portion.

20. (Original) The method of claim 15, further comprising:

monitoring a bandwidth of the network; and

transcoding the first portion if the monitored bandwidth becomes less than a preset bandwidth.

21. (Canceled)

22. (Canceled)

23. (Canceled)

24. (Canceled)